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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/586,250

04/17/2008

Harri Mattlar

1034456-000045

1817

21839 7590 04/01/2011
BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER

WILLIAMS, MARK A

ART UNIT

PAPER NUMBER

3674

NOTIFICATION DATE

DELIVERY MODE

04/01/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/586,250	Applicant(s) MATTLAR ET AL.	
	Examiner MARK A. WILLIAMS	Art Unit 3673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/15/10, 5/5/09, 7/17/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: claims should not be referred to in the specification, since the claims may change throughout the prosecution of the application.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims create a combination/subcombination issue in that it is unclear if applicant intends to claim just the subcombination of a "fastening arrangement" or the entire combination of a "fastening arrangement" and a "switching device" and a "mounting tray". Applicant must clarify what is intended to be claimed and amend

the claims to be consistent with that intent. For purposes of this Office action, the subcombination only is being considered positively claimed.

Throughout the claims, “or the like” renders the claims indefinite, since the metes and bounds of the claim language can not be determined.

In claim 1, “in such a way” is indefinite and undefined.

In claim 9, it is unclear if “a hole” is referring to a single hole or two different holes in two different components of the invention. This is true in claim 18 also.

In claim 10, “a second hole” is not understood in the context of the invention and appears inconsistent with the disclosure and drawings. This is true in claim 19 also.

In reference to the angles of the claim language, such angles are indefinite and undefined in that it can not be determined from what aspects of the invention the angles are being measured from.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, “a second

hole” of claim 10 must be shown (or clearly pointed out) or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by J.

E. Woll, US Patent 369,146. A fastening arrangement for fastening a switching device or the like to a mounting tray, the fastening arrangement comprising a fastening point formed in the switching device or the like, and a lug 5 to be fastened to the fastening point wherein the lug is substantially plate-like and comprises at least one protrusion, and the fastening point comprises at least three recesses (on 6) to receive the protrusion in the lug in such a way that the lug is optionally lockable, when being fastened to the switching device or the like, to different positions defined by the recesses, one of the positions being a substantially vertical position, another being a substantially horizontal position, and the rest being positions at an angle between these positions. The recess defining the position between the horizontal and vertical positions of the lug is positioned to lock the lug to a position directed upwards or downwards. The recess defining the position between the horizontal and vertical positions of the lug is

positioned to lock the lug to a position directed upwards and downwards at an angle of 45° . The switching device is capable of being a modular switching device in which the recess defining the position between the horizontal and vertical positions of the lug is positioned to lock the lug in a position where the fastening point of the lug to the mounting tray is in line with the outer edge of a module. The fastening point has at least four recesses, whereby the lug is lockable to at least two positions between the vertical and horizontal positions of the lug. The protrusion of the lug is substantially on the same plane as the surface of the lug. The protrusion of the lug protrudes outwards from the surface of the lug. The lug has two or more protrusions. Both the lug and the fastening point of the switching device or the like comprise a hole for fastening the lug to the switching device or the like. The lug further comprises, as best understood, a second hole for fastening the lug and thus also the switching device or the like to the mounting tray. The lug further comprises a slot for fastening the lug and thus also the switching device or the like to the mounting tray. The recess defining the position between the horizontal and vertical positions of the lug is positioned to lock the lug to a position directed upwards and downwards at an angle of 45° . The switching device is a modular switching device in which the recess defining the position between the horizontal and vertical positions of the lug is positioned to lock the lug in a

position where the fastening point of the lug to the mounting tray is in line with the outer edge of a module. The fastening point has at least four recesses, whereby the lug is lockable to at least two positions between the vertical and horizontal positions of the lug. The protrusion of the lug is substantially on the same plane as the surface of the lug. The protrusion of the lug protrudes outwards from the surface of the lug.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK A. WILLIAMS whose telephone number is (571)272-7064. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter M. Cuomo/
Supervisory Patent Examiner, Art Unit 3673

/Mark A. Williams/
Examiner, Art Unit 3673